SH2283105

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COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: July 30, 2012
FILE NO:

OFFICE CORRESPONDENCE

FROM: MICHAEL J. ROTHANS, COMMANDER
FIELD OPERATIONS REGION III

TO: JAMES C. THORNTON, CAPTAIN
PICO RIVERA STATION

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	SH2283105
Incident:	Hit Shooting
Incident Date:	February 26, 2011
Unit:	Pico Rivera Station/FOR III
Suspect:	Anthony C. Carlin
Involved Employees:	Deputy [redacted] Aguilera, #[redacted]
EFRC Date:	July 26, 2012

The Executive Force Review Committee consisting of Commander Michael Rothans, Commander Stephen Johnson, and Commander David Fender met and reviewed the above case.

FINDINGS:
The Committee determined the force used by Deputy Aguilera was objectively reasonable and in compliance with Department Policy. The Committee also determined the tactics used were within the Department's training standards.

RECOMMENDATIONS:
The Committee made no recommendations.

MJR:JER:jer



COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: November 4, 2011
FILE NO.: 011-02767-0283-056

FROM: WILLIAM J. MCSWEENEY, CHIEF
DETECTIVE DIVISION

TO: LEROY D. BACA
SHERIFF

SUBJECT: **LETTER OF OPINION ON DEPUTY INVOLVED SHOOTING**

The attached Letter of Opinion was received from the District Attorney's Office regarding the case involving Deputy George Aguilera #[redacted]

STATION:	East Los Angeles ,
DATE / TIME OF SHOOTING:	February 26, 2011, 0353 hours
SUSPECT:	CARLIN, Anthony MH/24 (Injured - In Custody)
LOCATION:	King Taco 4504 East Third Street Los Angeles (Unincorporated Area)

DISTRICT ATTORNEY'S CONCLUSION:

"The evidence examined shows that Anthony Carline stabbed off-duty Deputy Ferreira who was unarmed. After he stabbed him, he ignored Aguilera's repeated commands to drop his knife and he began to walk toward Aguilera while holding the knife. In fear for his life and the lives of others, Aguilera responded with deadly force"

"We find that Deputy Aguilera acting in lawful self-defense and defense of others when he used deadly force against Anthony Carlin. Therefore, we are closing our file and will take no further action in this matter."

WJM:DS:no





LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JACQUELYN LACEY • Chief Deputy District Attorney
PATRICK R. DIXON • Assistant District Attorney

JANICE L. MAURIZI • Director

October 12, 2011

Captain David Smith
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. File # 11-0146
L.A.S.D. File # 011-02767-0283-056

Dear Captain Smith:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the February 26, 2011, non-fatal shooting of Anthony Carlin by Los Angeles Sheriff's Department Deputy George Aguilera. We find that Deputy Aguilera acted lawfully in self-defense and defense of others.

The following analysis is based upon reports prepared by the Los Angeles County Sheriff's Department (LASD), submitted to this office by members of the LASD Homicide Bureau. The District Attorney's Command Center was notified of the shooting on February 26, 2011, at approximately 6:11 a.m. The District Attorney Response Team, comprised of Deputy District Attorney Susan Schwartz and District Attorney Senior Investigator [redacted] responded and was given a briefing and walk-through of the scene. The voluntary statement of Deputy Aguilera was considered as part of this analysis.

FACTUAL ANALYSIS

In the evening of February 25, 2011 and early morning hours of February 26, 2011, off-duty LASD Deputies George Aguilera, Steven Ferreira, and Gary Ortega were celebrating a birthday with [redacted] and [redacted] They all had consumed alcohol throughout the night. Aguilera was the designated driver. He had one shot of tequila at approximately 8:40 p.m. He had another shot of tequila and half of a beer between 11:00 p.m. and 1:45 a.m. At approximately 3:00 a.m on February 26, 2011, they went to the King Taco Restaurant in East Los Angeles. After they finished their food, they returned to Aguilera's truck which was parked

[1] Deputy Gary Ortega and [redacted] are [redacted] They are Deputy Aguilera's [redacted]

Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Los Angeles, CA 90012-3210
(213) 974-3888
WEBSITE: http://da.co.la.ca.us

in the restaurant's parking lot. Three men, Anthony Carlin, Michael Gomez and Alexander Galarza, were walking near them back to Galarza's car.

As the two groups neared their vehicles, they began to have a heated conversation. Aguilera told his friends to "knock it off" and get in his truck so they could leave. A fight broke out between [redacted] and Gomez. Gomez tried to punch [redacted] so [redacted] pushed him onto the hood of Galarza's car. As Gary attempted to hold his [redacted] back, Carlin grabbed Gary. Ferreira held Carlin by the neck in attempt to pull him off of Gary. Ferreira told Carlin to calm down. Carlin responded, "Alright, alright." After a few moments, Ferreira released Carlin. Meanwhile, Aguilera retrieved Gary's service weapon from his truck.[2]

The two groups of men began to walk away from each other. Without warning, Carlin walked back to Ferreira and stabbed him in the abdomen one time. Ferreira told the others that Carlin had stabbed him. Aguilera pointed Ortega's service weapon at Carlin, identified himself as an LASD deputy, and told him to drop the knife. Carlin did not comply. He began to walk towards Aguilera while still holding the knife in his hand. When Carlin was approximately four feet away from him, Aguilera fired one round, striking Carlin in the abdomen. Aguilera told his friends to call 9-1-1.

Deputy Michael Rodriguez responded to the 9-1-1 call. When he arrived, he saw Carlin lying on the ground in the parking lot. In his right hand, Carlin was holding a knife that was eight inches in length with a three and a half inch blade. Rodriguez grabbed the knife and tossed it to a safe area, out of reach of all the parties. During this time, Carlin was yelling, "Fuck you, assholes!"

[redacted] was sitting with her [redacted], [redacted], in his car in the King Taco parking lot at the time of the shooting. She saw the two groups of men walking to their vehicles when a fight broke out between one member from each group. The others were trying to separate them. The group containing the off duty deputies told the smaller group to leave. When the fighting ended, Carlin walked over to Ferreira and stabbed him without any warning. After Ferreira was stabbed, the others identified themselves as sheriff's deputies. Aguilera pointed a gun at Carlin. He ordered Carlin to drop the knife and get on the ground approximately three times. [redacted] heard Carlin yell, "Fuck you, want some too?" Carlin began to move closer to Aguilera while still holding the knife. Aguilera shot him one time.

[redacted] was sitting in his car with his [redacted], [redacted], when the two groups of men walked by his car. He saw Gomez "swinging" at the other men. Ferreira told them that he was a deputy sheriff, but Gomez continued to swing at them. One of Gomez' friend tried to stop him. The altercation appeared to end. Gomez and Galarza walked to Galarza's car, but Carlin walked toward Ferreira. [redacted] looked away for a moment, but heard Ferreira yell, "I got stabbed!" When [redacted] looked back, he saw Ferreira holding his badge up. Aguilera pointed a handgun at Carlin and stated, "This is the Sheriff's Department! Drop the weapon!" Carlin was still holding the knife when he stated, "Fuck you, fuck you!" Carlin walked toward

[2] Deputy Ortega's service weapon is a Beretta, model 92FS, 9mm Luger caliber, semiautomatic pistol.

Aguilera. When Carlin was approximately six feet from Aguilera, Aguilera fired one round at Carlin. Aguilera ordered Carlin to "Get down!" several times before he complied.

Alexander Galarza was drinking with his friends, Anthony Carlin and Michael Gomez, earlier in the evening. They decided to stop at King Taco to get something to eat. Galarza stated that his friends were drunk and trying to pick a fight with somebody. As they walked to his car in the King Taco parking lot, Galarza saw his friends trying to pick a fight with another group of men. He heard Aguilera tell his own group, "Let's go, let's go." Galarza tried to get his own friends to leave. As they were about to leave, he heard [redacted] say to his friends, "You'd better listen to your friend before you get your asses kicked." Carlin and Gomez began to fight the men in the other group. Galarza tried to pull Gomez back as [redacted] was choking Carlin on the hood of Galarza's car. Galarza heard that someone had been stabbed, though he did not see it. The deputies began pulling out their badges and Aguilera pulled out a handgun. Aguilera yelled, "Get on the floor, get on the floor!" Galarza immediately dropped to his knees. He heard Carlin yelling, and then he heard a gunshot. Galarza saw Carlin drop to the ground. Galarza did not know if Carlin dropped the knife, and he did not see the shooting.

The knife was recovered at the scene. Because it was raining and the knife was wet, it was unable to be processed for fingerprints. As of this date, the knife has not been tested for DNA.

Ferreira and Carlin were taken to LACUSC Medical Center. Ferreira was treated for a stab wound to his abdomen. He required multiple surgeries and a portion of his small intestines had to be removed as a result of his injuries. Carlin was treated for a gunshot wound that entered his lower left abdomen and exited his lower right back.

Carlin, Gomez and Galarza were each arrested for attempted murder, a violation of California Penal Code section 664/187(a). On March 2, 2011, Los Angeles County Deputy District Attorney John Colello of the Crimes Against Police Officers Division charged Carlin with a violation of Penal Code section 664/187(a) and 245(c) in case BA381546. This case is set for arraignment and plea on the information on October 7, 2011. Carlin has [redacted]

Gomez and Galarza were not charged with any crimes and released from custody.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears that the person claiming the right of self-defense actually and reasonably believed that he was in danger of great bodily injury or death. People v. Randle (2005) 35 Cal.4th 987, 994; People v. Mercer (1962) 210 Cal.App.2d 153, 161.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent imminent injury. CALCRIM 505.

Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v. Collins (1961) 189 Cal.App.2d 575.

The evidence examined shows that Anthony Carlin stabbed off-duty Deputy Ferreira who was unarmed. After he stabbed him, he ignored Aguilera's repeated commands to drop his knife and he began to walk toward Aguilera while holding the knife. In fear for his life and the lives of others, Aguilera responded with deadly force.

We find that Deputy Aguilera acted in lawful self-defense and defense of others when he used deadly force against Anthony Carlin. Therefore, we are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By: Renee Chang

RENEE CHANG
Deputy District Attorney
(213) 973-3888

c: Deputy George Aguilera, #[redacted]

Los A geles County Sheriff's Dep rtment

Officer Involved Shooting

Report Date: 02/26/11	Bureau/Station/Facility: IAB	Admin. Invest.? ☐ Hit? ☒

Incident Information

URN: 011-02767-0283-056	Date: February 26, 2011 Time: 0353 hours
City or Station: East Los Angeles	Nature of Incident: Deputy Aguilera shot Suspect Carlin after he stabbed Deputy Ferriera with a knife.
Location: 4504 East 3rd Street Los Angeles, CA 90022	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, (Parking Lot), Residence, Rural, School, Street, Other: ______

Lighting (*circle only one*): (Darkness), Daylight, Other, (Street Lights)

Weather (*circle only one*): Clear, Cloudy, Fog, (Rain)

Distance: 10-15 feet

Incident Type (*circle one or more*): Accidental, (Armed Person), Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: Off-duty

Initiated by (*circle only one*): Arrest Warrant, Call, Observation, One Person Unit, (Other), Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, (Other), Routine Patrol

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
1	0

Aero Unit? ☐ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Ferreira	Steve		EM PM Day	Regular Overtime (Off Duty)
[redacted]	Ortega	Gary	A.	EM PM Day	Regular Overtime (Off Duty)
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
[redacted]		[redacted]		
Street Address	City	Zip Code	Work Ph	[redacted]
Last Name: [redacted]		First Name: [redacted]		M.I.
Street Address	City	Zip Code	Work Ph	[redacted]
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
				On Duty / Present during shooting / Witness to shooting / Involved in shooting
				On Duty / Present during shooting / Witness to shooting / Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.

Watch Commander

Employee #	Last Name	First Name	M.I.

PSTD Use Only

SH # ______________

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
02/26/11	0630	07/16/12	

Employee #	Last Name	First Name	M.I
[redacted]	Roberts (Ruiz)	Teri	
[redacted]	[redacted]	[redacted]	

Shooting / Force Information

Method

- (AW) Arwen
- (BC) Baton:(Control)
- (BI) Baton:(Impact)
- (BF) Bodily Fluids
- (CN) Canine
- (CR) Carotid Restraint
- (CH) Choke Hold
- (CT) Control Holds:(Control Techniques)
- (TT) Control Holds:(Team Takedown)
- (TD) Control Holds:(Takedown)
- (CE) Chemical
- (OC) Chemical Agents (OC Spray)
- (TG) Chemical Agents (Tear Gas)
- (EX) Explosives
- (FH) Firearm (Handgun)
- (FR) Firearm (Rifle)
- (FS) Firearm (Shotgun)
- (FO) Firearm (Other)
- (FB) Flashbang
- (FL) Flashlight
- (OE) Other Weapon: Edged
- (OV) Other Weapon: Vehicle
- (OB) Other Weapon: Blunt Object
- (OO) Other Weapon: Other
- (PK) Personal Weapon: Feet/Leg: (Kick)
- (PS) Personal Weapon: Feet/Leg: (Sweep)
- (PH) Personal Weapon (Hand/Arm)
- (PP) Personal Weapon (Push)
- (PO) Personal Weapon (Other)
- (RS) Resistance
- (CN) Restraint Device (Capture Net)
- (RH) Restraint Device (Handcuffs)
- (HB) Restraint Device:Hobble (Legs Only)
- (TP) Restraint Device:Hobble (TARP)
- (RE) Restraint Device: REACT Belt
- (SP) Sap
- (SH) Shield
- (SG) 37mm Stinger
- (SB) Sting Ball
- (ST) Stun Bag
- (TR) Taser
- (UC) Uncooperative

Type of Injury

- (AB) Abrasion
- (BR) Bruise
- (BU) Burn
- (CP) Complaint of Pain
- (CO) Concussion
- (DH) Death
- (DI) Dislocation
- (DB) Dog Bite
- (FR) Fractures
- (GS) Gunshot
- (HB) Human Bite
- (LC) Lacerations
- (ND) Nerve Damage
- (OD) Organ Damage
- (PA) Paralysis
- (PW) Puncture Wound
- (SD) Soft Tissue Damage
- (ST) Sprain/Twists
- (UN) Unconscious
- (RM) Refused Med Treatment
- (NN) NONE

Body Part Injured

- (AD) Abdomen
- (AK) Ankle
- (AR) Arm
- (BK) Back
- (BT) Buttocks
- (CH) Chest
- (EL) Elbow
- (FA) Face
- (FE) Feet
- (FI) Fingers
- (GE) Genitals
- (GR) Groin
- (HD) Hand
- (HE) Head
- (HI) Hip
- (IN) Internal
- (KN) Knees
- (LE) Leg
- (NK) Neck
- (SH) Shoulder
- (WR) Wrist

Brand

- (AK) AK-47
- (BN) Benelli
- (BR) Beretta
- (BW) Browning
- (CH) Charter Arms
- (CO) Colt
- (DA) Davis Industries
- (GL) Glock
- (HA) Harrington & Richardson
- (HI) Hi Standard
- (HK) H & K
- (IT) Ithica
- (IV) Iver Johnson
- (JE) Jennings
- (LO) Lorcin
- (LU) Luger
- (MA) Marlin
- (MO) Mossberg
- (NC) NCI aka SKS
- (NA) North American
- (NO) Norinco
- (RA) Raven
- (RM) Remington
- (RG) RG
- (RI) RGI
- (RO) Rossi
- (SW) Smith & Wesson
- (SR) Sturm Ruger
- (ST) Sterling
- (TA) Taurus
- (WE) Weatherby
- (WN) Winchester
- (US) US Government
- (YY) Handmade (Inmate)
- (XX) Homemade (Non-Inmate)
- (ZZ) Other Brand

Caliber

- (9) 9 mm
- (10) 10 mm
- (12) 12 guage
- (20) 20 guage
- (21) .22-250
- (22) .22 caliber
- (23) .223 caliber
- (24) .243 caliber
- (25) .25 caliber
- (30) .308 caliber
- (35) .357 caliber
- (36) 30-60 caliber
- (38) .38 caliber
- (40) .40 caliber
- (41) .410 guage
- (44) .44 caliber
- (45) .45 caliber
- (50) 50 mm
- (SL) Slug
- (WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1 Carlin	E#1Ferreira	OE			N		PW	AD
E#1Aguilera	S#1 Carlin	FH	BR	9	Y	Y	GS	AD

Officer Involved Shooting
Involved Employee Information

URN: 011-02767-0283-056

Involved Employee

E 1

Employee # [redacted]	Last Name: Aguilera	First Name [redacted]	M.I. [redacted]
Sex: M Race: Hispanic	Rank: Deputy	Unit Assignment: Pico Rivera Station	Work Assignment (Unit #, Module, etc.): Patrol
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime (Off Duty)	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: 8	Duty [redacted]	Clothing (*circle only one*): (Plain Clothes no Vest) / Plain Clothes w/ Vest / Raid Jacket no Vest / Raid Jacket w/ Vest / Uniform no Vest / Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 509	Weight: 220		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber 9mm	# Shots 1	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp #	Last Name [redacted]	First Name	M.I.
Field Training Officer Emp #	Last Name [redacted]	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Plain Clothes w/ Vest / Raid Jacket no Vest / Raid Jacket w/ Vest / Uniform no Vest / Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Plain Clothes w/ Vest / Raid Jacket no Vest / Raid Jacket w/ Vest / Uniform no Vest / Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 011-02767-0283-056

Suspect Information

S 1

Last Name: Carlin	First Name: Anthony	M.I.: C.
AKA Last Name:	First Name:	M.I.:

Sex: M Race: Hispanic	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: None	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 24 D.O.B. 04/13/1986	Height: 506 Weight: 140	FBI #: [redacted]	CII #: [redacted]
Booking #: 265688	Primary Charge: 664/187 PC	Secondary Charge: 245(c) PC	
Coronor Case? [ ]	Coroner Case #:	Intoxication/Drug Usage? [X]	Substance Used: Alcohol
Armed? [X]	Apprehended? [X]	Mental Illness? [ ]	Criminal History? [redacted]
Vehicle Make:		Model:	Year:

S 2

Last Name: Garlarza	First Name: Alexander	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: M Race: Hispanic	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone: [redacted]	Social Security #:	Driver's License #: [redacted]
Age: 22 D.O.B. 10/20/88	Height: 509 Weight: 240	FBI #: [redacted]	CII #: [redacted]
Booking #: 2656113	Primary Charge: 664/187 PC	Secondary Charge:	
Coronor Case? [ ]	Coroner Case #:	Intoxication/Drug Usage? [X]	Substance Used: Alcohol
Armed? [ ]	Apprehended? [X]	Mental Illness? [ ]	Criminal History? [redacted]
Vehicle Make:		Model:	Year:

S 3

Last Name: Gomez	First Name: Michael	M.I.: N.
AKA Last Name:	First Name:	M.I.:

Sex: M Race: Hispanic	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: None	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 24 D.O.B. 09/08/1986	Height: 507 Weight: 170	FBI #: [redacted]	CII #: [redacted]
Booking #: 2656110	Primary Charge: 664/187 PC	Secondary Charge:	
Coronor Case? [ ]	Coroner Case #:	Intoxication/Drug Usage? [X]	Substance Used: Alcohol
Armed? [ ]	Apprehended? [X]	Mental Illness? [ ]	Criminal History? [redacted]
Vehicle Make:		Model:	Year:

S ___

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coronor Case? [ ]	Coroner Case #:	Intoxication/Drug Usage? [ ]	Substance Used:
Armed? [ ]	Apprehended? [ ]	Mental Illness? [ ]	Criminal History? [ ]
Vehicle Make:		Model:	Year:

See Other Side

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

DEPUTY INVOLVED HIT SHOOTING

UNIT: Pico Rivera Sheriff's Station (Off Duty Incident)
DATE: February 26, 2011
TIME: 0350 Hours, Saturday
LOCATION: King Taco Restaurant, 4504 East 3rd Street, Los Angeles, CA
FILE #: 011-02767-0283-052
IAB #: SH2283105

NATURE OF INCIDENT:

On February 26, 2011, Internal Affairs Bureau Investigators responded to a deputy-involved shooting at King Taco Restaurant at 4504 East 3rd Street, East Los Angeles. The shooting incident involved off-duty deputies George Aguilera, Steven Ferriera, and Gary Ortega. Deputy Ferriera was stabbed in the abdomen by Suspect Anthony Carlin, which resulted in Deputy Aguilera shooting and wounding the suspect.

Investigators learned the following:

On the evening of February 25, 2011, Deputies George Aguilera, Steven Ferreira, and Gary Ortega, gathered at the home of Deputy Ferriera to celebrate the birthdays of Deputy Aguilera's [redacted], [redacted] and [redacted]. With them at the celebration were various members of their family and friends. Among those family and friends were Deputy Ortega's [redacted], [redacted] and their [redacted].

> **IAB Note: Deputy Aguilera and Deputy Ferriera have been good friends for more than twenty years. Deputy Ferriera is the [redacted] of Deputy Ortega and his [redacted]. Deputy Ortega also refers to Deputy Aguilera as his "[redacted]."**

During the birthday celebration at Deputy Ferriera's home, all of the deputies ate dinner and drank alcohol. Deputy Aguilera drank very little.

After having dinner, Deputy Aguilera, Deputy Ferriera, Deputy Ortega, [redacted] and Deputy Aguilera's [redacted] and [redacted] went to "The Sunset Room" night club, located in Hacienda Heights. Deputy Aguilera was the designated driver. They stayed for a few hours, and consumed more alcoholic beverages. Deputy Aguilera, being the designated driver, indulged in very little drinking of alcoholic beverages. The group of men left the club just prior to closing. Deputy Aguilera took his [redacted] home first. He then proceeded to take everyone else home.

IAB Note: According to Deputy Aguilera's Homicide transcript, page 2 line 12, he drank one shot of Tequila with dinner at about 8:40 P.M.. On page 2, lines 19,20 and 22, Deputy Aguilera said he had another shot of Tequila and a half of a beer, when he first arrived at the night club around 11:00 P.M., and left at approximately 1:45 A.M.. Deputy Aguilera also said he had two sodas and food as well.

While on the way to take their [redacted] home in Boyle Heights, they were hungry, and decided to stop at King Taco Restaurant in East Los Angeles. The deputies and their friend had grown up in East Los Angeles, so they said they felt comfortable stopping at the restaurant at that time of morning. Deputy Aguilera parked his vehicle, a gray 2011 Chevrolet Silverado, in the southeast parking lot.

IAB Note: See Exhibit "A," page 116 for a sketch of the scene.

The group of men ate inside of the King Taco Restaurant peacefully, without incident. When they finished eating, they proceeded to walk to Deputy Aguilera's truck. As they walked through the parking lot to the vehicle, there were three men walking in the parking lot ahead of them. One of the men, Suspect Gomez, appeared to be intoxicated. Deputy Ferriera and Deputy Ortega were talking to one another. Suspect Gomez turned around and said to Deputy Ortega, "Hey, did you say something to me homie?" Deputy Ortega replied, "I'm not talking to you, I'm talking to my [redacted] and I'm not your homie." Suspect Gomez then stopped, turned around toward Deputy Ortega and Deputy Ferriera, and began yelling and using profanity saying, "Fuck you guys." and, "What are you guys going to do about it?" Suspect Gomez became so belligerent that his friend (Suspect Galarza) attempted to pull him away.

The suspect swung and hit [redacted] A short physical altercation ensued between [redacted] and Suspect Gomez. Deputy Ortega attempted to break up the fight by pushing the suspect and pulling his [redacted] The suspect also swung at Deputy Ortega. During the altercation, Deputy Ferreira saw Suspect Carlin jump on his nephew's back and choke him as he was fighting with one of the other suspects. Deputy Ferreira put the suspect in a choke hold (forearm around his neck) and pulled the suspect off his [redacted]. He held the suspect in the position and told him, "Relax, we don't need to be fighting. We need to get out of here. All right? Let's just chill out.

This is ridiculous." Suspect Carlin replied, "All right, all right just let me go." Deputy Ferreira released the suspect from the choke hold. At that time, everyone appeared to have calmed down, and the fighting had ceased.

The deputies and their friends were gathering themselves and getting ready to go to Deputy Aguilera's vehicle in order to leave. Deputy Ferriera saw Suspect Carlin from his peripheral vision, but believed the altercation was over. Suspect Carlin stepped toward him, and stabbed him in the stomach. As Suspect Carlin stabbed Deputy Ferriera, he said, "Fuck you mother fuckers!" Deputy Ferreira immediately told Deputy Aguilera, who was standing next to him, "This guy just stabbed me man."

Deputy Aguilera saw Deputy Ferriera holding his mid-section and staggering. He then saw him point to Suspect Carlin. Deputy Aguilera looked at Suspect Carlin and saw him holding a knife. Deputy Aguilera raised the handgun that he had just retrieved from his vehicle after seeing the physical altercation erupt moments earlier.

IAB Note: Deputy Aguilera retrieved Deputy Ortega's duty weapon, a 9mm Beretta 92F semiautomatic pistol, from his Chevrolet, Silverado. Neither he nor Deputy Ferriera were armed with guns on that evening. They both stated they were off duty and chose not to carry their weapons.

Deputy Aguilera identified himself as a Deputy Sheriff and told suspect Carlin to "drop the knife." He also ordered the suspect to get on the ground.

IAB Note: Deputy Aguilera did not show his badge when he verbally identified himself as a Deputy Sheriff. He said at the time, he had both of his hands positioned on the weapon as he pointed it at Suspect Carlin, and did not feel that it was safe to take his badge out at that time. Deputy Aguilera keeps his badge in his right rear pants pocket.

The suspect did not comply. Instead, he raised the knife halfway up, as he held it to his side. He then took a step toward Deputy Aguilera. Fearing for his safety, and the safety of his friends, Deputy Aguilera fired one round from Deputy Ortega's 9mm Beretta from a distance of approximately 10-12 feet. The suspect was struck in the abdomen and fell to the ground. Deputy Aguilera also ordered the two other suspects to get on the ground. They complied. Suspect Carlin attempted to get up, but complied after Deputy Aguilera ordered him a second time to get on the ground.

Deputy Aguilera took three steps back, and told [redacted] to call 911. Deputy Aguilera also called 911.

IAB Note: See Exhibit "B," CD containing audio of [redacted], and Deputy Aguilera's 911 calls.

Deputy Ferreira sustained a single stab wound to the lower abdomen. He was transported to Los Angeles County/U.S.C. Medical Center where he was listed in serious but stable condition.

Suspect Carlin sustained a "through and through" gunshot wound to the lower left abdomen. He was transported to Los Angeles County/U.S.C. Medical Center where he was listed in critical condition.

The suspect's weapon, a 4-inch folding knife with a 3 1/2 inch blade, was recovered at the scene.

One expended 9mm shell casing and one expended projectile were recovered at the scene.

INVOLVED PERSONNEL

AGUILERA, George #[redacted]
Los Angeles County Sheriff
Pico Rivera Station

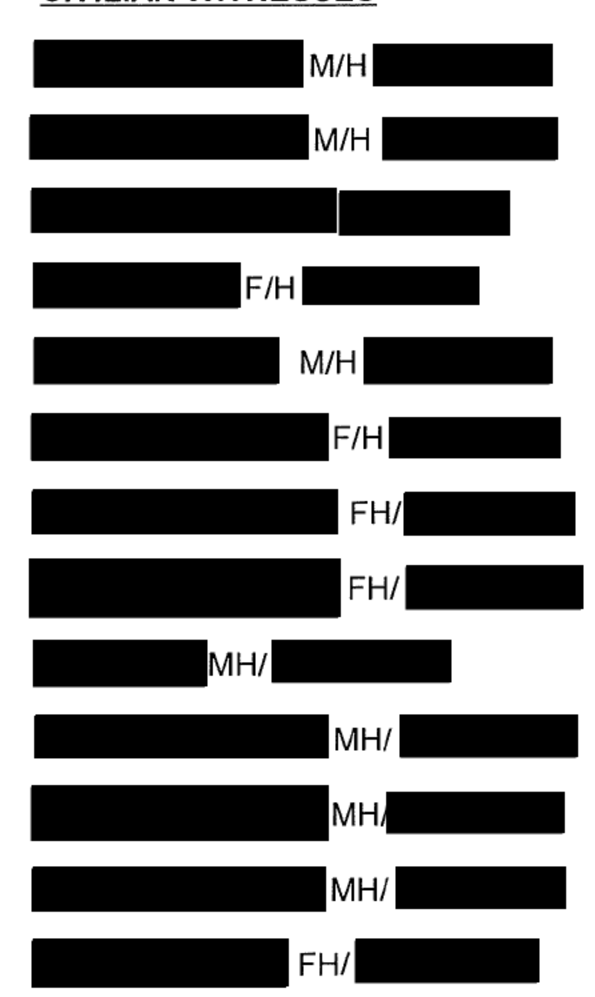
Work History
Date of Employment: 01/01/1990
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

SWORN WITNESSES

FERREIRA, Steven, Deputy #[redacted]
Los Angeles County Sheriff
Lakewood Station

ORTEGA, Gary, Deputy #[redacted]
Los Angeles County Sheriff
Twin Towers Facility

CIVILIAN WITNESSES



[redacted] M/H [redacted]

[redacted] M/H [redacted]

[redacted]

[redacted] F/H [redacted]

[redacted] M/H [redacted]

[redacted] F/H [redacted]

[redacted] FH/ [redacted]

[redacted] FH/ [redacted]

[redacted] MH/ [redacted]

[redacted] MH/ [redacted]

[redacted] MH/ [redacted]

[redacted] MH/ [redacted]

[redacted] FH/ [redacted]

SUSPECTS

CARLIN, Anthony Cruz
M/H 24, 04/13/1986
[redacted]

GOMEZ, Michael
M/H 24, 09/08/1986
[redacted]

GALARZA, Alexander
M/H 22, 10/20/1988
[redacted]

SUSPECT INJURIES

Suspect Carlin sustained a through and through gun shot wound to his lower abdomen area.

DEPUTY INJURIES

Deputy Ferriera sustained a stab wound to his abdomen.

PHYSICAL EVIDENCE

See Exhibit "A" pages 111-113

INVESTIGATOR'S OBSERVATIONS

The physical evidence at the shooting scene was consistent with statements made by deputies and the suspect.

WEAPON USED BY DEPUTY PERSONNEL

The weapon used by deputy personnel was a Beretta, model 92FS, 9mm Luger caliber, semiautomatic pistol, serial number BER[redacted].

Ammunition: : WINN 9MMLUGER

Shell Casings: One round was fired by Deputy Aguilera.

Date last qualified: [redacted]

WEAPON USED BY SUSPECT

Knife, "Mtech USA," Black, overall Length-8", Blade - 3 ½"

PROPERTY DAMAGE

None

CRIMINAL INVESTIGATOR/CHARGES FILED

On February 26, 2011, Suspect Carlin was charged with 664/187(a) PC, Attempted Murder, and 245 PC, Assault with a Deadly Weapon. The other suspects were not charged.

LIGHTING AND WEATHER CONDITIONS

On the morning of the shooting incident, the weather was cold and it was raining lightly. Both parking lots were well lit from several sources, specifically the east parking lot has four large light poles, two on the north and two on the south. There was additional light coming from the Maravilla, East Los Angeles, Gold line platform, which is north of the parking lot.

INVOLVED DEPUTY STATEMENTS

AGUILERA, George

Witness George Aguilera was interviewed by Homicide Investigators Sergeant Richard Garcia and Detective Ronald Duval at East Los Angeles Station on February 26, 2011. The interview was audio recorded.

Deputy Aguilera said on February 25, 2011 at approximately 8:00 P.M., he went to Deputy Ferriera's home to celebrate the birthdays of his [redacted] and [redacted]. Also present at Deputy Ferriera's home were Deputy Gary Ortega and his [redacted] and their [redacted]. While celebrating with other friends and family members, they ate dinner and consumed alcoholic beverages. After the celebration, Deputy Aguilera, Deputy Ferriera, Deputy Ortega, [redacted], [redacted], [redacted], and [redacted] went to a night club in Hacienda Heights called "The Sunset Room." Deputy Aguilera said they stayed at the bar until about 0145 hours, at which time they returned to his home in La Verne, and dropped off his [redacted] He said because he was the designated driver, he only had a couple of alcoholic beverages with his meals earlier in the evening.

Deputy Aguilera said as he and his friends were en route to [redacted] home in the East Los Angeles area, they decided to stop at "King Taco" to get some food. He said they went inside the dining room, and ate their food with no problems. After eating, they walked to the east parking lot in order to leave and take [redacted]

[redacted] home. Deputy Aguilera said because it was raining, he quickly walked ahead of his friends to a trash bin located in the east parking lot in order to throw his soda cup away. As he walked toward the trash bin, he noticed three men walking in the same direction as his friends. He momentarily lost sight of his friends as he discarded his trash in the bin. As he turned and walked toward his vehicle, he heard yelling. As he opened the driver's side door, he saw Deputy Ferriera, Deputy Ortega, and [redacted] engage in a verbal altercation with the three males. He told his friends to, "get in the truck, lets go home."

Deputy Aguilera said he walked to the front of his vehicle and saw someone get pushed onto the hood of the suspect's vehicle, which was parked just south of his vehicle.

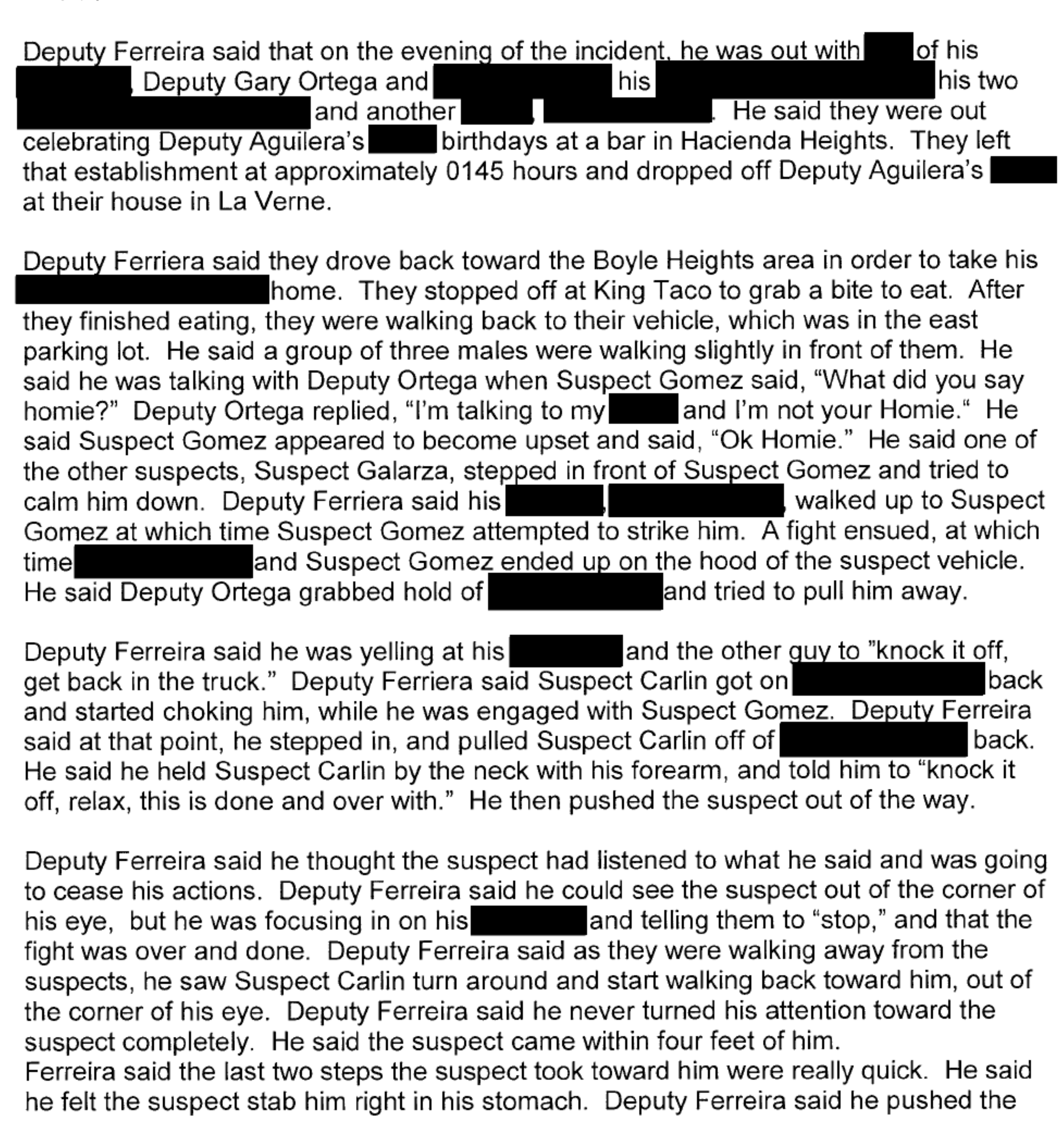
IAB Note: Deputy Aguilera does not remember who was pushed onto the hood of the suspect vehicle.

Deputy Aguilera returned to his vehicle and retrieved Deputy Ortega's duty weapon from his glove compartment. Armed with the handgun, Deputy Aguilera saw that the physical altercation had broken up. At that time, Deputy Ferriera told him that he had just been stabbed by Suspect Carlin. Deputy Aguilera saw Suspect Carlin holding a knife in his right hand. He said he pointed the handgun at Suspect Carlin and identified himself as a deputy sheriff. He ordered Suspect Carlin to drop the knife and get on the ground three times. The suspect did not comply. Instead, he raised his hand, holding the knife up near his waist and took a step toward Deputy Aguilera. He said the suspect was about 10 to 12 feet away from him.

IAB Note: In his Homicide interview, Deputy Aguilera said the suspect was about 4 to 5 feet away from him. See page 9, line 14 of Deputy Aguilera's Homicide transcript.

Deputy Aguilera said believing the suspect was going to lunge at him with the knife, and fearing for his safety, the safety of Deputy Ferriera, who had fallen to the ground, and the safety of his other friends, he fired one shot from the Beretta, striking Suspect Carlin. Deputy Aguilera said Suspect Carlin dropped to the ground. He said he ordered the other suspects to get on the ground. At first, one of the suspects would not comply. He had to order him to get down on the ground at least three times. When the suspect saw that the other suspect had gotten on the ground, he finally complied and went down to the ground. He attempted to get up a second time but Deputy Aguilera ordered him again to "stay on the ground."

Deputy Aguilera told his friends to call 911, as he held all three suspects on the ground at gunpoint. He said he also called 911. When East L.A. units arrived, Deputy Aguilera told them that he was an off duty-deputy, and he identified the suspects.



SWORN WITNESSES

FERREIRA, Steven

Witness Steven Ferreira was interviewed by Homicide Investigators Sergeant Richard Garcia and Detective Ronald Duval at East Los Angeles Station on February 26, 2011. IAB Investigator Sergeant Teri Roberts was present during the interview. The interview was audio recorded.

Deputy Ferreira said that on the evening of the incident, he was out with [redacted] of his [redacted], Deputy Gary Ortega and [redacted] his [redacted] his two [redacted] and another [redacted], [redacted]. He said they were out celebrating Deputy Aguilera's [redacted] birthdays at a bar in Hacienda Heights. They left that establishment at approximately 0145 hours and dropped off Deputy Aguilera's [redacted] at their house in La Verne.

Deputy Ferriera said they drove back toward the Boyle Heights area in order to take his [redacted] home. They stopped off at King Taco to grab a bite to eat. After they finished eating, they were walking back to their vehicle, which was in the east parking lot. He said a group of three males were walking slightly in front of them. He said he was talking with Deputy Ortega when Suspect Gomez said, "What did you say homie?" Deputy Ortega replied, "I'm talking to my [redacted] and I'm not your Homie." He said Suspect Gomez appeared to become upset and said, "Ok Homie." He said one of the other suspects, Suspect Galarza, stepped in front of Suspect Gomez and tried to calm him down. Deputy Ferriera said his [redacted], [redacted], walked up to Suspect Gomez at which time Suspect Gomez attempted to strike him. A fight ensued, at which time [redacted] and Suspect Gomez ended up on the hood of the suspect vehicle. He said Deputy Ortega grabbed hold of [redacted] and tried to pull him away.

Deputy Ferreira said he was yelling at his [redacted] and the other guy to "knock it off, get back in the truck." Deputy Ferriera said Suspect Carlin got on [redacted] back and started choking him, while he was engaged with Suspect Gomez. Deputy Ferreira said at that point, he stepped in, and pulled Suspect Carlin off of [redacted] back. He said he held Suspect Carlin by the neck with his forearm, and told him to "knock it off, relax, this is done and over with." He then pushed the suspect out of the way.

Deputy Ferreira said he thought the suspect had listened to what he said and was going to cease his actions. Deputy Ferreira said he could see the suspect out of the corner of his eye, but he was focusing in on his [redacted] and telling them to "stop," and that the fight was over and done. Deputy Ferreira said as they were walking away from the suspects, he saw Suspect Carlin turn around and start walking back toward him, out of the corner of his eye. Deputy Ferreira said he never turned his attention toward the suspect completely. He said the suspect came within four feet of him.
Ferreira said the last two steps the suspect took toward him were really quick. He said he felt the suspect stab him right in his stomach. Deputy Ferreira said he pushed the

suspect back, off of him, and said, "What are you doing?" He pulled out his badge and identified himself as an off-duty deputy and told the suspect to drop the knife.

Deputy Ferriera said the suspect replied, "I don't give a fuck who you are, let's go." He said he turned to his buddy, George Aguilera, and said, "Hey, this guy just stabbed me dude, he has a knife." He said Deputy Aguilera looked surprised because he hadn't seen the suspect actually stab him. He said Deputy Aguilera then focused on the suspect and saw that he was holding the knife. Deputy Ferriera said, "That guy has a knife." He said Deputy Aguilera drew his gun out, identified himself, and told the suspect to drop the knife. He said the suspect took a step toward Deputy Aguilera, and Deputy Aguilera fired one round, dropping the suspect down on the ground. Deputy Ferriera said the other suspects then laid down, and "they" called 911.

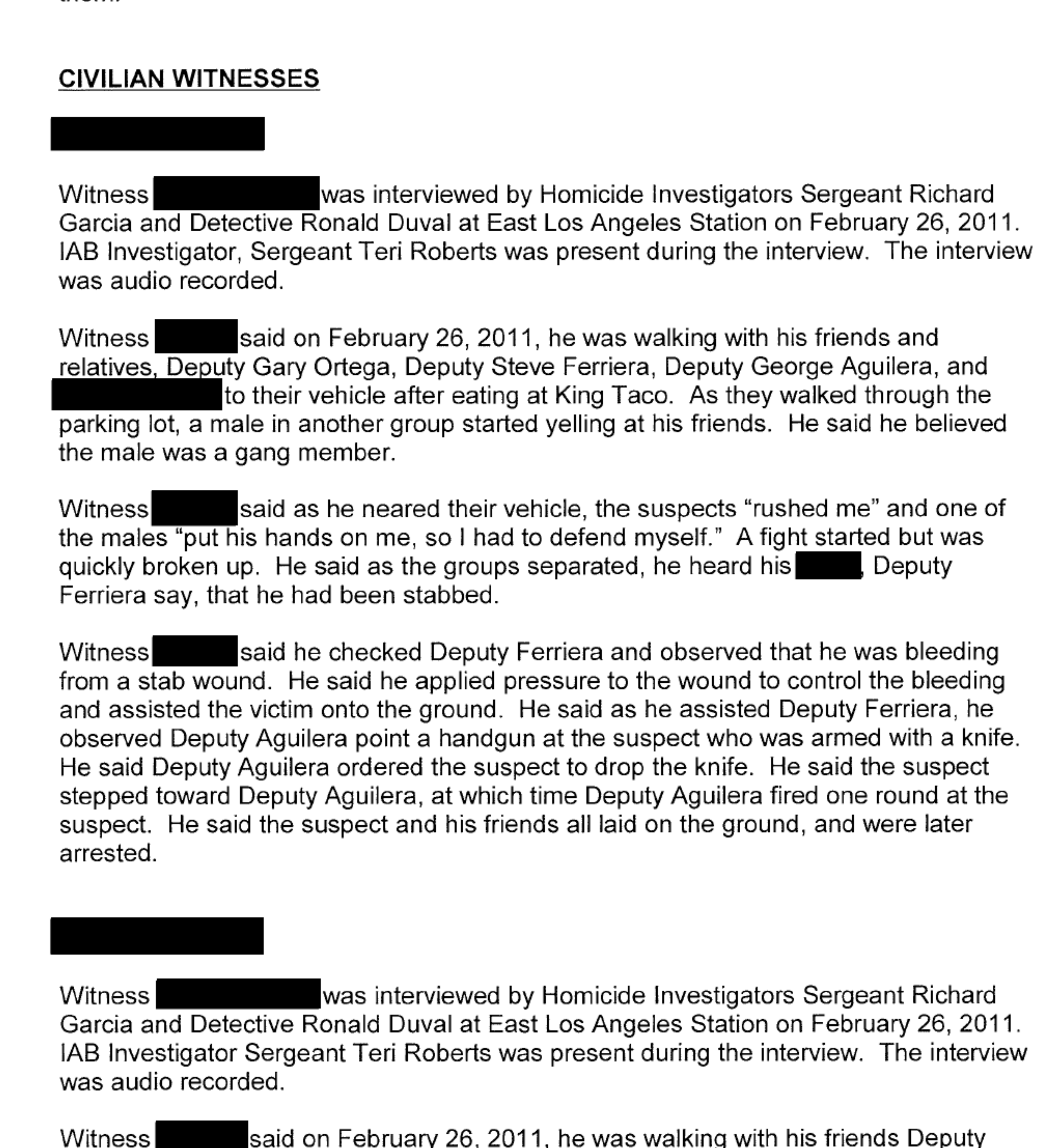
ORTEGA, Gary

Witness Gary Ortega was interviewed by Homicide Investigators Sergeant Richard Garcia and Detective Ronald Duval at East Los Angeles Station on February 26, 2011. IAB Investigator Sergeant Teri Roberts was present during the interview. The interview was audio recorded.

Deputy Ortega said on the night of the incident, he was spending the evening at his [redacted] house, Deputy Ferriera. He said they went to a bar in Hacienda Heights for a short time. He said while taking their friend [redacted] home in East Los Angeles, they stopped at "King Taco" for some food. He said after they finished eating, they walked to the parking lot to Deputy Aguilera's truck. He said he was talking to his [redacted] Deputy Ferreira, when Suspect Gomez asked him, "What did you say." Deputy Ortega told the suspect that he was talking to his [redacted] The suspect responded, "All right Homie." Deputy Ortega said he replied, "I'm not your homie."

Deputy Ortega said he continued walking toward Deputy Aguilera's vehicle. He said Suspect Gomez, who was also walking in the same direction, started making comments like, "Okay Homie," All right Homie," and, "That's right Homie." He said as he neared Deputy Aguilera's vehicle, Suspect Gomez and Suspect Carlin started walking toward him and his group of friends. He said he stopped and faced the approaching suspects. He said Suspect Gomez walked up to his [redacted] and pushed him. He said his [redacted] and Suspect Gomez started to wrestle so he tried to separate them.

Deputy Ortega pushed Suspect Gomez away from his [redacted] and he looked to his right and saw Suspect Carlin punch Deputy Ferreira in the abdomen. He saw Deputy Ferreira grab his abdomen. Deputy Ferriera told him that he had just been stabbed. Deputy Ortega looked at Suspect Carlin and saw him holding a knife. He said he took a step back, pulled out his Sheriff's badge, and said "Los Angeles County Sheriff's Department." He said Deputy Aguilera was armed with a handgun and he stated, "Los Angeles County Sheriff's Department! Drop the knife!"



Deputy Ortega said Suspect Carlin ignored their commands and held the knife up. He then stepped toward Deputy Aguilera, who fired one shot at the suspect. He said Suspect Carlin dropped to the ground, and he called 911. He said Deputy Aguilera detained the suspects at gunpoint until responding patrol units arrived and arrested them.

CIVILIAN WITNESSES

[redacted]

Witness [redacted] was interviewed by Homicide Investigators Sergeant Richard Garcia and Detective Ronald Duval at East Los Angeles Station on February 26, 2011. IAB Investigator, Sergeant Teri Roberts was present during the interview. The interview was audio recorded.

Witness [redacted] said on February 26, 2011, he was walking with his friends and relatives, Deputy Gary Ortega, Deputy Steve Ferriera, Deputy George Aguilera, and [redacted] to their vehicle after eating at King Taco. As they walked through the parking lot, a male in another group started yelling at his friends. He said he believed the male was a gang member.

Witness [redacted] said as he neared their vehicle, the suspects "rushed me" and one of the males "put his hands on me, so I had to defend myself." A fight started but was quickly broken up. He said as the groups separated, he heard his [redacted], Deputy Ferriera say, that he had been stabbed.

Witness [redacted] said he checked Deputy Ferriera and observed that he was bleeding from a stab wound. He said he applied pressure to the wound to control the bleeding and assisted the victim onto the ground. He said as he assisted Deputy Ferriera, he observed Deputy Aguilera point a handgun at the suspect who was armed with a knife. He said Deputy Aguilera ordered the suspect to drop the knife. He said the suspect stepped toward Deputy Aguilera, at which time Deputy Aguilera fired one round at the suspect. He said the suspect and his friends all laid on the ground, and were later arrested.

[redacted]

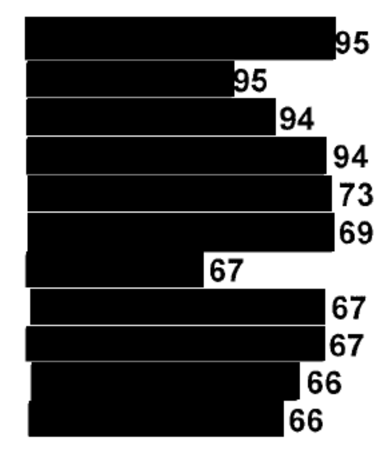
Witness [redacted] was interviewed by Homicide Investigators Sergeant Richard Garcia and Detective Ronald Duval at East Los Angeles Station on February 26, 2011. IAB Investigator Sergeant Teri Roberts was present during the interview. The interview was audio recorded.

Witness [redacted] said on February 26, 2011, he was walking with his friends Deputy

Gary Ortega, Deputy Steve Ferriera, Deputy George Aguilera, and [redacted] to their vehicle after eating at King Taco. As they walked through the parking lot, a group of guys approached them and said something to [redacted] [redacted] did not hear what was said. He noticed the guys were "scuffling" with [redacted] [redacted] and Gary Ortega stepped in to break it up. He said Deputy Ferriera also stepped in to break it up.

Witness [redacted] heard Deputy Ferriera say he had been stabbed. He told Deputy Ferriera to lie down and yelled out for someone to call 911. He said Deputy Aguilera went to his truck and retrieved his weapon. He said Deputy Aguilera pointed the gun at the guy with the knife and told him to drop the weapon. He said the suspect failed to comply, and Deputy Aguilera shot one time. He said the suspect went to the ground, and was arrested.

IAB Note: The following list of witnesses observed all or a fraction of the shooting incident. In order to read Homicide's summary of their interviews, note the page number next to the witness name, and refer to Exhibit "A." In order to listen to their audio taped interviews, refer to the envelope in the "Miscellaneous documents" section labeled "Homicide transcripts."



[redacted] **95**
[redacted] **95**
[redacted] **94**
[redacted] **94**
[redacted] **73**
[redacted] **69**
[redacted] **67**
[redacted] **67**
[redacted] **67**
[redacted] **66**
[redacted] **66**

<u>SUSPECT'S STATEMENTS</u>

CARLIN, Anthony Cruz

Suspect Carlin refused to be interviewed by Homicide Investigators without his attorney present.

GALARZA, Alexander

Suspect Alexander Galarza was interviewed by Homicide Investigators Sergeant Richard Garcia and Detective Ronald Duval at East Los Angeles Station on February 26, 2011. The interview was audio recorded.

Suspect Galarza said he and his friends, Suspects Carlin and Gomez, had been "bar hopping" in the city of Alhambra. Galarza said he wasn't really drinking, and was their designated driver. He said while en route to Suspect Gomez's house after leaving the bar, they went to the store and bought some beer. They later went to King Taco to get something to eat. He said his friends were drunk and "trash talking," trying to pick a fight with anybody. He said after eating, they were walking to their car to go home. He said he was walking slightly in front of his friends. He said there was a group of guys walking near them, in the same direction.

Suspect Galarza said his friends were trying to start a fight with the other group of guys by asking them, "What are you looking at." He said the other group of guys were trying to get into their truck, and he heard Deputy Aguilera tell his group, "Let's go, let's go." He said he tried to get his own friends to leave by telling them, "Let's jam, let's jam."

Suspect Galarza said his friends were about to get in their car and leave when [redacted] told them, "You better listen to your friend before your asses get kicked." He said that upset his friends, and both groups approached each other. He said both groups were wrestling with each other and he tried to pull Suspect Gomez back. He said [redacted] was choking Suspect Carlin on the hood of his (Suspect Galarza's) car.

Suspect Galarza said he heard someone say, "I've been stabbed." He said he did not see the stabbing. He said the deputies started pulling out their badges and Deputy Aguilera pulled out a handgun. Suspect Galarza said he immediately dropped to his knees and told Deputy Aguilera that he didn't have any weapons. He said he heard Deputy Aguilera yell, "Get on the floor, get on the floor!" He said he heard Suspect Carlin yelling, then he heard a gunshot. Suspect Carlin dropped to the ground and said he was shot. He said he didn't know if Suspect Carlin had dropped the knife, nor did he see the shooting. He said the police arrived and they were arrested.

GOMEZ, Michael

Suspect Michael Gomez was interviewed by Homicide Investigators Sergeant Richard Garcia and Detective Ronald Duval at East Los Angeles Station on February 26, 2011. The interview was audio recorded.

Suspect Gomez said he and his friends, Suspect Carlin and Suspect Galarza, had been drinking at a bar in Alhambra. He said they stopped at the store, bought some beer, and went to his house to drink it.

They got hungry, and drove to "King Taco" around 2:30 A.M. Suspect Gomez said after

they finished eating, they started walking to Suspect Galarza's car to go home. He said they were walking near a group of five to six males. He said that some unknown person made an unknown comment and both groups started exchanging words. He said he didn't know who had started the exchange of words. He said since he didn't want to fight, he told the other group to "relax" and "chill." He said he was the person trying to keep the peace between the groups.

Suspect Gomez said he was about to enter Suspect Galarza's car when an unidentified member of the other group approached him and ripped his shirt. He said they restrained each other, and at no time were any punches thrown. He said he saw Deputy Ferreira fall to the ground. He said he didn't see the stabbing nor hear anyone say anything about being stabbed. He said he saw Deputy Aguilera shoot his friend, Suspect Carlin. He said Deputy Aguilera never warned Suspect Carlin, nor did he identify himself as a police officer until after the shooting. He said he never saw Suspect Carlin with a knife, nor did he ever see a knife.